

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	
)	
)	
Precis Communications, LLC)	CSB No. 0680
)	
Appeal of Local Rate Order of)	
Moab, Utah (UT0003 and UT 0020))	

ORDER

Adopted: June 23, 2003

Released: June 24, 2003

By the Deputy Chief, Policy Division, Media Bureau:

1. On October 4, 2002, Precis Communications, LLC ("Precis"), filed with the Commission an Appeal of Local Rate Order ("Appeal"), directed at a decision by the City of Moab, Utah ("the City"), made on September 24, 2002.

2. The City filed an Answer to the Appeal, which the Commission received on October 22, 2002. At paragraph 5 of the Answer, the City states that Precis has decided not to pursue the rate increase that was the subject of the City's September 24 decision.¹

3. Precis has not made any subsequent filing herein, and we take its silence to admit the truthfulness of the allegation in paragraph 5 of the City's Answer.

4. It therefore appears that the dispute in this appeal is now moot.

5. Accordingly, IT IS ORDERED that the Appeal filed on October 4, 2002, IS DISMISSED.

6. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's rules. 47 C.F.R. § 0.283.

FEDERAL COMMUNICATIONS COMMISSION

John B. Norton
Deputy Chief, Policy Division, Media Bureau

¹ The City notes that the franchise agreement between it and Precis's predecessor dates from before July 1, 1990. Answer, ¶ 9. Therefore, the City claims, the Commission's regulations concerning cable rate regulation and certification do not apply. 47 C.F.R. § 76.982. Because we are dismissing the Appeal on other grounds, we need not address this claim.